

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SCOTT A. BOMAN,

Plaintiff,

v.

CITY OF DETROIT, et al.,

Defendants.

Case No. 15-14146

Honorable Nancy G. Edmunds

ORDER OF REMAND AS TO PLAINTIFF'S STATE LAW CLAIMS

Plaintiff Scott Boman filed suit against Defendants City of Detroit, Wayne County Community College, and various officers and personnel employed by the municipal entities. The Complaint alleges violations of the United States Constitution and 42 U.S.C. § 1983. Additionally, there are two state law claims for assault and battery. On November 25, 2014, Defendant Wayne County Community College properly removed the matter to this Court.

Seeing as the parties to this matter are non-diverse, this Court declines to exercise supplemental jurisdiction over the latter claims so as to avoid jury confusion. See 28 U.S.C. § 1367(c); *Moor v. County of Alameda*, 411 U.S. 693, 716 (U.S. 1973); *Padilla v. City of Saginaw*, 867 F. Supp. 1309 (E.D. Mich. 1994). Thus, pursuant to 28 U.S.C. § 1367(c), all of Plaintiff's claims based on state law, including all claims found in Count II, are hereby REMANDED to Wayne County Circuit Court, 15-009938-NO. This Court will retain jurisdiction over Plaintiff's federal claims only.

SO ORDERED

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: January 22, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 22, 2016, by electronic and/or ordinary mail.

s/Carol J. Bethel
Case Manager